

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SIERRA PACIFIC RESOURCES and NEVADA  
POWER COMPANY,

Plaintiffs,

v.

EL PASO CORPORATION; EL PASO  
NATURAL GAS COMPANY; EL PASO  
MERCHANT ENERGY, L.P.; EL PASO  
MERCHANT ENERGY COMPANY, a Division  
of El Paso Corporation; EL PASO TENNESSEE  
PIPELINE COMPANY; EL PASO MERCHANT  
ENERGY-GAS, COMPANY; SEMPRA  
ENERGY; SOUTHERN CALIFORNIA GAS  
COMPANY; SAN DIEGO GAS AND  
ELECTRIC; SEMPRA ENERGY TRADING  
CORPORATION; DYNEGY MARKETING  
AND TRADE; and DOES 1-100,

Defendants.

No. CV-S-03-0414-JCM-(RJJ)

**STIPULATION AND ORDER TO  
DISMISS CASE WITH PREJUDICE  
AS TO ALL REMAINING  
DEFENDANTS (DYNEGY  
MARKETING AND TRADE)**

The Honorable James C. Mahan

The remaining parties, through their respective counsel, and in accordance with and subject to the terms of the Mutual Release and Settlement Agreement, dated June 18, 2009, and signed by the parties thereto, hereby stipulate, pursuant to Fed. R. Civ. P. 41(a)(1), that this action is dismissed with prejudice as to all remaining Defendants, including, without limitation, Dynegy

Marketing and Trade, and that each party is to bear its own costs and fees incurred in connection with this matter.

RESPECTFULLY SUBMITTED this 22nd day of June 2009.

JONES VARGAS  
Attorneys for NV Energy

By /s/ Gary R. Goodheart  
Gary R. Goodheart

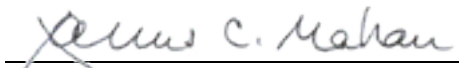
LIONEL SAWYER & COLLINS  
Attorneys for Dynegy Marketing and Trade

By /s/ Todd F. Kennedy  
Todd F. Kennedy

**ORDER**

UPON STIPULATION of the parties, and good cause appearing therefore, it is hereby ORDERED, ADJUDGED and DECREED that this action be dismissed with prejudice as to all remaining Defendants, including Dynegy Marketing and Trade, each party to bear its own fees and costs associated with said action.

Dated: June 24, 2009

  
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THE HONORABLE JAMES C. MAHAN  
UNITED STATES DISTRICT COURT